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In the Matter of	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 09-124
Final DTV Table of Allotments,	)	RM-11547
Television Broadcast Stations.	)	
(Columbus, Ohio)	)	

**Released: December 11, 2009**

1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by WSYX Licensee, LLC (“WSYX”), the licensee of station WSYX(TV), channel 13, Columbus, Ohio. WSYX has requested the substitution of channel 48 for channel 13 at Columbus. WSYX filed comments reaffirming its interest in the proposed channel substitution. No other comments were received.

2. We believe the public interest would be served by substituting channel 48 for channel 13 at Columbus. WSYX is the only VHF station in the Columbus, Ohio, Designated Market Area. According to WSYX, the channel change will permit it to replicate its pre-digital transition analog service on a UHF channel, thereby, improving service to the station's previous analog viewers.

3. Channel 48 can be substituted for channel 13 at Columbus, Ohio, as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 39-56-14 N. and 83-1-16 W.<sup>2</sup> In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules with the following specifications:<sup>3</sup>

City and State	DTV Channel	DTV Power (kW)	Antenna HAAT (meters)	DTV Service Pop (thous.)
Columbus, Ohio	48	1000	286	2259

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedures Act.<sup>4</sup> An expedited effective date is necessary in this case to ensure that station WSYX(TV) can provide improved service to the market as quickly as possible.

<sup>1</sup> *Columbus, Ohio*, 24 FCC Rcd 9133 (Vid. Div. 2009).

<sup>2</sup> The proposed facility is located within the Canadian coordination zone, and the Canadian government has concurred with this allotment.

<sup>3</sup> 47 C.F.R. §§ 73.616 and 73.623.

<sup>4</sup> 5 U.S.C. § 553(d)(3).

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective immediately upon the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Columbus, Ohio	14, 21, 36, *38, 48

6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, WSYX Licensee, LLC, shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV channel 48 in lieu of DTV channel 13.

7. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning the proceeding listed above, contact David J. Brown, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau